

Assembly Bill No. 1530

CHAPTER 697

An act to amend Sections 15111 and 21000 of, and to add and repeal Section 15321 to, the Elections Code, relating to elections.

[Approved by Governor October 6, 1999. Filed
with Secretary of State October 10, 1999.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1530, Longville. Elections: precinct vote results.

(1) Existing law requires elections officials to keep an accurate list of all voters who have received and voted an absentee ballot at each election, as specified. This bill would require the list of voters who have received and voted an absentee ballot to include the election precinct of the voter.

Existing law authorizes a vote tabulating device to be located at any place within the state approved by the elections official of the county or other political subdivision using the device.

This bill would require that, for any statewide election or certain special elections conducted on or before June 1, 2000, votes cast by absentee ballot and votes cast at the polling place be tabulated by precinct. The bill would require election results to be made available to the Legislature and appropriate legislative committees for use in connection with district reapportionment, as specified. This bill would repeal those provisions as of January 1, 2001.

(2) Existing law requires the county elections official in each county to compile and make available to the Legislature, as prescribed, certain elections information, including, among other things, lists showing the elections returns for each precinct.

This bill would also require the elections returns for each precinct to reflect the vote total for all ballots cast, including both absentee ballots and ballots cast at polling places.

(3) By imposing additional duties upon county elections officials, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state,

reimbursement for those costs shall be made pursuant to these statutory provisions.

The people of the State of California do enact as follows:

SECTION 1. Section 15111 of the Elections Code is amended to read:

15111. The elections official shall keep an accurate list of all voters who have received and voted an absentee ballot at each election and compare this list with the roster of voters as provided in Section 15278. That list shall include the election precinct of the voter.

SEC. 2. Section 15321 is added to the Elections Code, to read:

15321. (a) For any statewide election or special election to fill a vacancy in a congressional or legislative office, conducted on or after June 1, 2000, votes cast by absentee ballot and votes cast at the polling place shall be tabulated by precinct.

(b) The election returns compiled pursuant to subdivision (a) shall be made available to the Legislature or any appropriate committee of the Legislature for use in connection with the reapportionment of legislative districts pursuant to Section 21000.

(c) This section shall remain in effect only until January 1, 2001, and as of that date is repealed, unless a later enacted statute, which is enacted before January 1, 2001, deletes or extends that date.

SEC. 3. Section 21000 of the Elections Code is amended to read:

21000. The county elections official in each county shall compile and make available to the Legislature or any appropriate committee of the Legislature any information and statistics that may be necessary for use in connection with the reapportionment of legislative districts, including, but not limited to, precinct maps indicating the boundaries of municipalities, school districts, judicial districts, Assembly districts, senatorial districts and congressional districts, lists showing the election returns for each precinct, and election returns for each precinct reflecting the vote total for all ballots cast, including both absentee ballots and ballots cast at polling places, compiled pursuant to subdivision (a) of Section 15321 in the county at each statewide election. If the county elections official stores the information and statistics in data-processing files, he or she shall make the files available, along with whatever documentation shall be necessary in order to allow the use of the files by the appropriate committee of the Legislature and shall retain these files until the next reapportionment has been completed.

Each precinct shall be identified according to the census tract or enumeration district in which it is located. When a precinct is divided among two or more census tracts or enumeration districts, the county elections official shall include an estimate of the proportion of the precinct's registered voters in each census tract or enumeration district. If the United States Bureau of the Census divides or alters any

census tract or enumeration district between the time of an election and the census upon which the reapportionment is based, the county elections official shall provide whatever corrections or additional information may be necessary to reflect those changes.

SEC. 4. Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund.

